

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 915 - SB 1103

March 22, 2023

SUMMARY OF BILL: Requires the Department of Children's Services (DCS) to petition to terminate the parental rights of a parent or guardian if there has been substantial noncompliance with the statement of responsibilities in the child's permanency plan and the period of time originally established in the plan has elapsed.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. 37-2-403(a)(2)(C), substantial noncompliance by the parents with the statement of responsibilities provides ground for the termination of parental rights.
- Since parental rights can already be terminated for noncompliance with a statement of responsibilities, it is assumed that the proposed legislation will not have a significant impact to the courts and can be managed without an increase in expenditures.
- Pursuant to Tenn. Code Ann. § 36-1-113(h), DCS is already authorized to file a petition to terminate parental rights under certain circumstances. However, DCS maintains the option to not file a petition if the child is being cared for by a relative, or if it is determined that such filing would not be in the best interest of the child.
- Therefore, authorizing DCS to be the petitioning party in this situation will not create a need for additional personnel or resources and will not create an increase in state expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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